

REMARKS

Claims 1-27 are pending in this application. By this Amendment, the specification and claims 11-13 and 16-18 are amended and new claims 23-27 are added. The amendment to the specification is merely to correct a typographical error. The amendments to the claims are merely to add commas for proper consistency.

The Office Action rejects claims 1, 3, 5-10, 12, 14-15, 17 and 19-22 under 35 U.S.C. §102(e) by U.S. Patent 6,510,144 to Dommety et al. (hereafter Dommety). The Office Action also rejects claims 2, 4, 11, 13, 16 and 18 under 35 U.S.C. §103(a) over Dommety in view of U.S. Patent 6,247,058 to Miller et al. (hereafter Miller). The rejections are respectfully traversed.

Independent claim 1 recites a first foreign agent initially receiving the packets from the home agent and storing them in a buffer and additionally sending the stored packets to a second foreign agent included in a second foreign network if the mobile node is moved to the second foreign network, the first foreign agent being included in the first foreign network.

Dommety does not teach or suggest all the features of independent claim 1. More specifically, Dommety does not teach or suggest a first foreign agent sending stored packets to a second foreign agent included in a second foreign network if the mobile node is moved to the second foreign network. The Office Action appears to reference Dommety's Figure 2A, steps 202-208; col. 5, line 57-col. 6, line 56 and col. 3, lines 4-49. However, Dommety does not teach or suggest the sending of stored packets from a first foreign agent to a second foreign agent. Rather, Dommety discusses retransmission of the data packet based on updated information.

The retransmission of the data is from the sender of the original data. See, for example, col. 8, lines 59-62 and col. 11, lines 61-63. Dommety does not relate to data packets stored in a buffer of a first foreign agent and additionally sending the stored packets to a second foreign agent if the mobile node is moved to a second foreign network. As such, independent claim 1 defines patentable subject matter.

Independent claim 8 defines patentable subject matter for at least similar reasons. That is, independent claim 8 recites sending a notification message to the first foreign agent if the mobile node moves to a second foreign network having a second foreign agent, and sending the packets stored in the first buffer to the second foreign agent and storing them in a second buffer if the first foreign agent receives the notification message. Dommety does not teach or suggest these features for at least the reasons set forth above.

Independent claim 15 also defines patentable subject matter for at least similar reasons. That is, independent claim 15 recites determining if the determined mobile node is moved to a second foreign network having a second foreign agent and transmitting the packets stored in the buffer to the second foreign agent if the mobile node is moved to the second foreign network. Dommety does not teach or suggest these features for at least the reasons set forth above.

Additionally, independent claim 23 defines patentable subject matter for at least similar reasons. That is, independent claim 23 recites sending a notification message to the first foreign agent when a mobile node moves from the first foreign network to a second foreign network and sending the packets in the first buffer to a second foreign agent associated with the second

foreign network. Dommety does not teach or suggest these features for at least the reasons set forth above.

For at least the reasons set forth above, each of independent claims 1, 8, 15 and 23 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims also recite features that further and independently distinguish over the applied references. For example, dependent claim 6 (and similarly dependent claims 20 and 26) recites the mobile node sends a notification message to the first foreign agent if the mobile node is moved to the second foreign network. In rejecting dependent claim 6, the Office Action cites Dommety's col. 7, lines 9-40 and col. 11, lines 26-34. However, these features do not discuss the mobile node sending a notification message to the first foreign agent if said mobile node is moved. That is, these features do not relate to a mobile node communicating to a first foreign agent as recited in dependent claim 6 and similarly recited in dependent claim 20 as well as dependent claim 26. Thus, these dependent claims define patentable subject matter at least for these reasons.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-27 are earnestly solicited. If the Examiner believes that any additional changes would place the application in

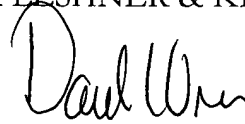
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better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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